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AMENDMENTS TO THE CLAIMS

Please cancel claims 9-14, 22 and 23.

Claim 1 (Previously Presented): An image capturing device for capturing still images, wherein the image capturing device can be placed in an audio capturing mode, comprising:

a two-stage shutter button;

an audio transducer capable of converting sound into a representative electrical audio signal;

a processor communicating with said audio transducer and selectively causing said audio signal to be outputted by said audio transducer, said processor being coupled to the shutter button; and

a memory for receiving said audio signal, said memory including an audio buffer capable of continuously storing a predetermined amount of said audio signal and including at least one audio storage cell capable of storing at least a portion of said audio signal held in said audio buffer, wherein

as a result of the image capturing device being placed in the audio capture mode, said processor causes said audio signal to be continuously stored in said audio buffer,

in response to the user of the image capturing device partially depressing the shutter button, said processor performs a lens focusing and/or flash measurement, and

in response to a user of the image capturing device fully depressing the shutter button, said processor causes at least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell and causes the device to capture and store a still image.

Claim 2 (Original): The device of claim 1, further comprising an audio conditioning circuit that performs audio signal processing on said audio signal.

Claim 3 (Previously Presented) The device of claim 1, wherein the image capturing device is automatically placed in the audio capture mode as a result of the user partially depressing the shutter button.

Claim 4 (Previously Presented): The device of claim 1, further comprising a lens and a cover for covering the lens so that the lens is not exposed, wherein the image capturing device is automatically placed in the audio capture mode as a result of said cover being disposed in a position wherein the cover is not covering the lens.

Claim 5 (Previously Presented): The device of claim 1, further comprising a power switch, having an on position and an off position, for powering the image capturing device on and off, wherein the image capturing device is automatically placed in the audio capture mode as a result of the power switch being placed in the on position.

Claim 6 (Original): The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input.

Claim 7 (Original): The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input, and wherein said user input is not constrained to occur simultaneously with an image capture.

Claim 8 (Previously Presented): The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input, and wherein said user input specifies a portion of said audio signal to be stored, wherein said portion of the audio signal is less than the audio signal stored in the buffer.

Claims 9-14 (Cancelled).

Claim 15 (Previously Presented): An audio capture method in an image capturing device having a shutter button, wherein the image capturing device can be placed in an audio capture mode, comprising the steps of:

activating the audio capture mode in response to a user of the image capturing device exposing the lens by moving a lens cover that was covering the lens;

continuously storing an audio signal in an audio buffer in said image capturing device only when said image capturing device is in the audio capture mode; and

storing at least a portion of said audio signal upon a store command input from the user.

Claim 16 (Original): The method of claim 15, further comprising a preliminary step of converting sound into said audio signal.

Claim 17 (Original): The method of claim 15, wherein said store command input comprises a store command input unassociated with any image capture function.

Claim 18 (Original): The method of claim 15, wherein said store command input is issued automatically in conjunction with an image capture function.

Claim 19 (Original): The method of claim 15, wherein said store command input is not constrained to occur simultaneously with an image capture.

Claim 20 (Previously Presented): The device of claim 1, wherein in response to the user fully depressing the shutter button, said processor immediately causes at least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell.

Claim 21 (Previously Presented): The device of claim 1, wherein in response to the user fully depressing the shutter button, said processor waits for a predetermined amount of time before causing at least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell.

Claims 22 and 23 (Cancelled).

Claim 24 (Previously Presented): The method of claim 15, wherein the step of storing at least a portion of said audio signal upon the store command input from the user occurs immediately in response to receipt of the store command.

Claim 25 (Previously Presented): The method of claim 15, wherein the step of storing at least a portion of said audio signal upon the store command input from the user occurs a predetermined amount of time after receipt of the store command.